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AZ CORP COMMISSION  
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FROM: Deborah R. Scott  
*for* Director  
Utilities Division

DATE: September 26, 2000

RE: IN THE MATTER OF THE APPLICATION OF JOHNSON UTILITIES,  
L.L.C. DBA JOHNSON UTILITIES COMPANY FOR AN EXTENSION  
FOR ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO  
PROVIDE WATER AND WASTEWATER SERVICE TO THE PUBLIC  
IN THE DESCRIBED AREA IN PINAL COUNTY, ARIZONA  
DOCKET NO. WS-02987A-00-0618

Attached is the Staff Report for the above referenced application. Staff is recommending conditional approval of the application following a hearing.

Originator: Mark A. DiNunzio

Attachment: Eleven copies

STAFF REPORT  
UTILITIES DIVISION

IN THE MATTER OF THE APPLICATION OF  
JOHNSON UTILITIES, L.L.C. DBA JOHNSON UTILITIES COMPANY FOR AN  
EXTENSION FOR ITS CERTIFICATE OF CONVENIENCE AND NECESSITY TO  
PROVIDE WATER AND WASTEWATER SERVICE TO THE PUBLIC IN THE  
DESCRIBED AREA IN PINAL COUNTY, ARIZONA

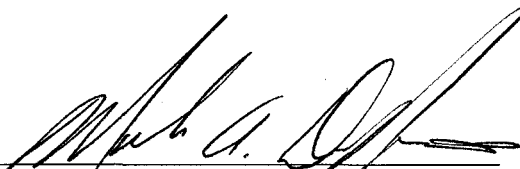
DOCKET NO. WS-02987A-00-0618

SEPTEMBER 2000

## STAFF ACKNOWLEDGEMENT


The Staff members designated below contributed elements of this Staff Report.

### CONTRIBUTING STAFF MEMBERS:



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Mark A. DiNunzio  
Executive Consultant



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*for* Marlin Scott, Jr.  
Utilities Engineer

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## **INTRODUCTION**

On October 18, 1999, Johnson Utilities L.L.C. dba Johnson Utilities Company ("Johnson" or "Company") filed an application for an extension to its Certificate of Convenience and Necessity ("Certificate" or "CC&N") to provide water and wastewater services in Pinal County.

## **BACKGROUND**

Johnson provides water and wastewater service to approximately 169 and 127 customers, respectively (1999 annual report), within various communities in Pinal County. The Company is located southeast of Queen Creek and currently covers approximately 45 square-miles of certificated areas for both water and wastewater utilities. These certificated areas extend from Queen Creek to Florence. Figure 1 shows the location of the Company within Pinal County and Figure 2 shows the certificated areas, along with the 26-1/2 square-miles of requested extension areas.

In its October 18<sup>th</sup> application, Johnson is requesting an extension to approximately ten (10) sections of land or approximately 6,400 acres.

On November 1, 1999, at the request from an adjacent property owner, Johnson filed an amended application to include an additional 500 acres.

On June 15, 2000, July 5, 2000, August 25, 2000 and September 15, 2000 Johnson filed for additional requests to provide water and wastewater services. Including the previously filed applications, Johnson's total request is for approximately 18,495 acres. As part of the additional filings by Johnson, approximately 3,445 acres are contested with H2O, Inc. ("H2O"). H2O has a pending application filed with the Commission and both companies are requesting to provide water service. Approximately 880 acres of the contested area is certificated to H2O which Johnson seeks to delete from H2O in order for Johnson to be the provider of both water and wastewater in those 880 acres. A separate Staff Report will address both Johnson's and H2O's ability to serve this contested area. The remainder of Johnson's requested area is uncontested and will be addressed in this Staff Report.

## **UNCONTESTED SEWER AND CONTESTED WATER AREAS**

The uncontested areas Johnson seeks have numerous developers and have an expected start date of construction with current year 2000 through the year 2010. Exhibit 1 details each parcel, development name, developer, number of acres, section, township and range, number of residences and approximate start date. In this uncontested application, Johnson has been requested to be the provider of water and wastewater service to all but three parcels - Parcel 14, Parcel 19 and Parcel 20. Parcel 19 is only requesting that Johnson provide it with wastewater service as it currently receives water service from H2O. Parcels 14 and 20 are requesting that Johnson provide them with not only wastewater service but also water service. The water

service is currently provided by H2O. The request for water service is contested and will not be addressed in this staff report. For discussion of the contested issues, please see the Staff Report in Consolidated Docket Nos. W-02234A-00-0371 and WS-02987A-00-0583.

### **COMPLIANCE ISSUES**

Johnson has indicated that it has been working with the Arizona Department of Water Resources ("ADWR") and on July 26, 2000, submitted a copy of its Assured Water Supply for the requested areas.

Johnson currently has a Pinal County franchise and has applied to expand the franchise to include all areas that are requested within this application. Staff recommends that Johnson submit a copy of its expanded franchise contract to the Commission within 365 days from the effective date of the Commission's decision.

Johnson is in compliance with the Commission's filing requirements and current on its property taxes.

Johnson has submitted a number of Approvals to Construct and Approvals of Construction from the Arizona Department of Environmental Quality ("ADEQ"). Staff recommends that Johnson submit copies of Approvals to Construct for all future developments as listed in this Staff report within 5 years from the effective date of the Commission's decision.

### **JOHNSON'S WATER AND WASTEWATER SYSTEMS**

#### **Existing Water Systems**

Johnson currently has a certificated water service area of approximately 45 square-miles with existing distribution systems covering a total of three (3) square-miles. The Company operates two independent water systems, Johnson Ranch and Sun Valley Farms V, which are approximately five miles apart. Description of each system is as follows:

1. Johnson Ranch Water System: This system consists of a well, one storage tank and a distribution system serving approximately 419 customers. Well Site #4 has a well that pumps 525 gallons per minute (GPM) into a 500,000 gallon storage tank, through three booster pumps (two 75 horsepower (Hp) and one 40-Hp) and into a 5,000 gallon pressure tank before distribution into the system. This distribution system covers approximately two square-miles.
2. Sun Valley Farms V Water System: This system consists of a well, one storage tank and a distribution system serving approximately 37 customers. Well Site #V4 has a well that pumps 250 GPM into two storage tanks (10,000 gallons & 6,000 gallons), through a booster pump and into a 2,000 gallon pressure tank before distribution into the system. This distribution system covers approximately one square-mile.

The Company is also constructing another water system within the Wildhorse project. This system is located approximately two miles south of the Sun Valley Farms V System and currently has a well and a 50,000 gallon storage tank. This system is still under construction and is not in service.

The Johnson Ranch Water System's current well capacity of 525 GPM and storage capacity of 500,000 gallons with fire flow protection could adequately serve up to 735 connections. The Company currently serves approximately 419 connections.

The Sun Valley Farms V Water System's current well capacity of 250 GPM and storage capacity of 16,000 gallons could adequately serve up to 36 connections (limited by storage). The Company currently serves approximately 37 connections.

### Existing Wastewater System

Johnson currently has a certificated wastewater service area of approximately 45 square-miles with existing collection systems covering a total of four square-miles. Description of the Company's wastewater systems are as follows:

1. Johnson Ranch Wastewater System: This system is located within the Magic Ranch project and has a wastewater treatment plant (WWTP) consisting of aerated lagoons with constructed wetlands and a collection system. This WWTP has a current capacity of 500,000 gallons per day serving approximately 391 customers.

The Company also has the Marwood mechanical package wastewater treatment plant within the Johnson Ranch project having a capacity of 20,000 gallons per day. This WWTP is currently not in service.

The Johnson Ranch WWTP has a current capacity of 500,000 GPD and could adequately serve up to 1,430 connections. The Company currently serves approximately 391 connections.

The Marwood WWTP is not in service and therefore, has no compliance status at this time.

## **JOHNSON'S PROPOSED SERVICES TO EXTENSION AREAS**

### Water Systems

The Company is proposing to integrate the two existing water systems and all projects located within the Phoenix Active Management Area (AMA) as one system. All projects in the extension areas located in the Pinal AMA will also be integrated as one system (see Figure 2). Initial phases of development will be provided water service from the existing Johnson Ranch and Sun Valley Farms V Water Systems. The development of all projects will be completed in

phases and the required infrastructure will be planned to accommodate the expected growth. Construction schedules for 41 projects for years 2000 to 2020 totaling \$13,972,500 are being proposed.

#### Wastewater System

All wastewater will be conveyed to either the Johnson Ranch WWTP or the Marwood WWTP, once this Marwood plant is placed back into service. The development of all projects will also be completed in phases with construction schedules of 41 projects for years 1998 to 2011 totaling \$50,662,500 being proposed.

#### **COMPLAINTS**

On June 2, 2000, Centex Homes filed a formal complaint (Docket No. WS-02987A-00-0387) against the Company for illegal termination of water utility service and also to facilitate resolution of disputed wastewater charges. This complaint is set for hearing on November 1, 2000.

The dispute stems from Decision No. 60223 and its Tariff Schedule Filings. The Decision granted water and wastewater rates based on water meter sizes. It is the Company's position that the wastewater rates and charges become effective when a water meter is installed, even when no water is used. Staff's opinion is that the intent of the wastewater rates and charges, based on water meter sizes, were designed for the quantity of wastewater flow to be treated at the wastewater treatment plants.

In order to clarify the wastewater rates and charges, Staff recommends that the Company submit an amended Tariff Schedule to include language for the wastewater rates and charges to state that these charges would become effective when wastewater first flows into the collection system, or simply, when wastewater is first produced. Staff further recommends that any granting of CC&N extensions be conditioned upon submittal of this amended tariff schedule within 30 days from the effective date of the Commission's decision to the Director of the Utilities Division for approval.

#### **ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY COMPLIANCE**

##### Water Systems

The Johnson Ranch Water System, PWS #11-128, is currently in compliance with ADEQ. In the past, ADEQ issued a Consent Order, Docket No. DW-62-00, on June 2, 2000, for numerous violations. However, on August 4, 2000, ADEQ signed a "Satisfaction and Termination of Consent Order" stating that Johnson Ranch had demonstrated to the satisfaction of ADEQ, that all terms of the Consent Order had been completed by paying a civil administrative penalty of \$4,900.00.



The Sun Valley Farms V Water System, PWS #11-116, is also currently in compliance with ADEQ. In the past, this system was also issued a Consent Order, Docket No. DW-87-00, by ADEQ on August 1, 2000 for numerous violations. Also on August 4, 2000, ADEQ signed a "Satisfaction and Termination of Consent Order" stating that Johnson's Sun Valley Farms V system had demonstrated to the satisfaction of ADEQ, that all terms of the Consent Order had been completed by paying a civil administrative penalty of \$6,000.00.

As a result, the ADEQ has determined that the Johnson Ranch Water System and the Sun Valley Farms V Water System are currently delivering water that does not exceed any maximum contaminant levels and meets the Safe Drinking Water Act quality standards.

#### Wastewater System

The Johnson Ranch Wastewater System, Inventory #103081, is currently in total compliance with ADEQ. In the past, ADEQ issued a Consent Order, Docket No. P-105-99, and an Amendment to Consent Order on May 12, 1999 and October 8, 1999, respectively, for one major violation. However, on April 26, 2000, ADEQ signed a "Satisfaction and Termination of Consent Order" stating that the Johnson Ranch wastewater system had demonstrated to the satisfaction of ADEQ, that all terms of the Consent Order and Amendment to Consent Order had been completed.

#### Arizona Department of Environmental Quality Conclusions

As discussed above, Johnson has had a history of problems meeting the compliance requirements of ADEQ. Exhibit 4 attached is a Staff Engineering compilation of Johnson's ADEQ violations. This compilation was made from three ADEQ Consent Orders pertaining to Johnson Ranch Water System, Sun Valley V Water System and the Johnson Ranch Wastewater System. Johnson has been fined by ADEQ and is now operating within ADEQ compliance requirements. Staff is concerned with Johnson's past ADEQ problems considering that their extension request is for over 15,000 additional acres in addition to the 45 square miles Johnson currently is certificated to serve. Staff is of the opinion that a phased approach should be used to grant Johnson the areas it requests and should be based upon its performance in meeting and maintaining ADEQ compliance. This includes Johnson operating in full compliance with ADEQ rules and delivering water that does not exceed any maximum contaminant levels and meets the water quality standards of the Safe Drinking Water Act.

#### **PHASED APPROACH**

Staff recommends conditional approval of the requested CC&N in phases as discussed below (see Exhibit 2).

### Phase 1

Staff recommends immediate Phase 1 approval for Johnson Utilities Company to provide water and wastewater services to the following parcels: Parcel 6 (Morning Sun Farms), Parcel 12 (Jorde/Morning Sun Farms), Parcel 13 (Bureau of Land Management), Parcel 23 (Magma Ranch) and Parcel 21 (Dobson Farms). Staff further recommends approval for Johnson Utilities Company to provide wastewater service only to Parcel 20 (Pecan Ranch), Parcel 14 (Combs School) and Parcel 19 (Various Developers).

### Phase 2

Staff recommends conditional Phase 2 approval for Johnson Utilities Company to provide water and wastewater services to the following parcels subject to Johnson maintaining continuous full compliance with ADEQ and ACC rules for the 2001 calendar year: Parcel 9 (Farley Farms), Parcel 10 (State of Arizona) and Parcel 11 (Circle Cross Ranch). Staff further recommends conditional approval for Johnson Utilities Company to provide wastewater service only to Parcel 14 (Johnson Farms, Section 32). Staff further recommends that Johnson submit to the Commission, by January 31, 2002, documentation from ADEQ indicating it has been in full compliance with ADEQ for calendar year 2001. Upon submission of such documentation, the CC&N for the Phase 2 territory shall no longer be conditional. If such documentation is not timely submitted, the conditional CC&N extensions for both the Phase 2 and Phase 3 territories shall become null and void with no further Order of the Commission.

### Phase 3

Staff recommends conditional Phase 3 approval for Johnson Utilities Company to provide water and wastewater services to the following parcels subject to Johnson's CC&N for Phase 2 no longer being conditional, and upon Johnson maintaining continuous full compliance with ADEQ and ACC rules for the prior 2001-2003 calendar years: Parcel 5 (Skyline), Parcel 3 (Jorde Farms) and Parcel 4 (Whitehead). Staff further recommends that Johnson submit to the Commission by January 31, 2004, documentation indicating that it has been in full compliance with ADEQ for calendar years 2002 and 2003. Upon submission of such documentation, the CC&N for the Phase 3 territory shall no longer be conditional. If such documentation is not timely submitted, the CC&N extension for the Phase 3 territory shall be null and void with no further Order of the Commission.

### Denied

Staff has reviewed the remaining parcels requested by Johnson Utilities and recommends denial of these areas (see Exhibit 3). These areas include: Parcel 1 (Arizona Farms), Parcel 2 (Bella Vista Farms), Parcel 10 (Future Development Sections 23 & 26), Parcel 7 (Shelton) and Parcel 8 (Various Owners within Section 28). Insufficient information was available regarding what development would be taking place or whom the developers would be in Parcel 10 for Staff to recommend approval at this time. With regard to Parcels 1, 2, 7 and 8, development of these

areas was projected to be 6 – 10 years out. Staff believes that they should be addressed at a future time. As approached in rate cases, Staff evaluates plant-in-service for five years beyond the test year and as such, Staff is recommending that only projects up through the year 2005 be conditionally approved. Staff is therefore recommending denial without prejudice of the development projects identified in Parcels 1, 2, 7, 8 and 10.

### **RECOMMENDATIONS:**

Staff recommends approval of Johnson Utilities Company's request to serve water and wastewater services to the Phase 1 extension areas as described above.

Staff further recommends that the Commission condition approval of the application of Johnson Utilities Company to serve the Phase 2 and Phase 3 requested extension areas as discussed above.

Staff further recommends that only projects up through the year 2005 be approved in this proceeding and is therefore recommending denial without prejudice of the development projects identified in Parcels 1, 2, 7, 8 and 10.

Staff further recommends that should Johnson fail to maintain full ADEQ and ACC Phase 2 compliance and timely submit the requested documentation regarding the Phase 2 extension areas as described above, the conditional grant of the CC&N territory in Phase 2 shall become null and void, without further order of the Commission.

Staff further recommends that should Johnson fail to maintain full ADEQ and ACC Phase 3 compliance and timely submit the requested documentation regarding the Phase 3 extension areas as described above, the conditional grant of the CC&N territory in Phase 3 shall become null and void, without further order of the Commission.

Staff further recommends that Johnson submit copies of Approvals to Construct for the approved extension areas listed in this Staff report within 5 years from the effective date of the Commission's decision.

Staff further recommends that Johnson submit a copy of its expanded franchise contract to the Commission within 365 days from the effective date of the Commission's decision.

Staff further recommends that the Commission's Decision covering the extension be considered null and void without further order from the Commission should Johnson fail to submit copies of Approvals to Construct and the expanded franchise contract within the timeframe as described above.

Staff further recommends that the Johnson Utilities Company submit an amended Tariff Schedule to include language for the wastewater rates and charges to state that these charges

would become effective when wastewater flows into the collection system, or simply, when wastewater is produced.

Staff further recommends that any granting of CC&N extensions be conditioned upon submittal of the above-recommended amended Tariff Schedule within 30 days from the effective date of the Commission's decision to the Director of the Utilities Division for approval.

Staff further recommends that Johnson Utilities Company be ordered to charge its existing rates and charges in the approved extension areas.

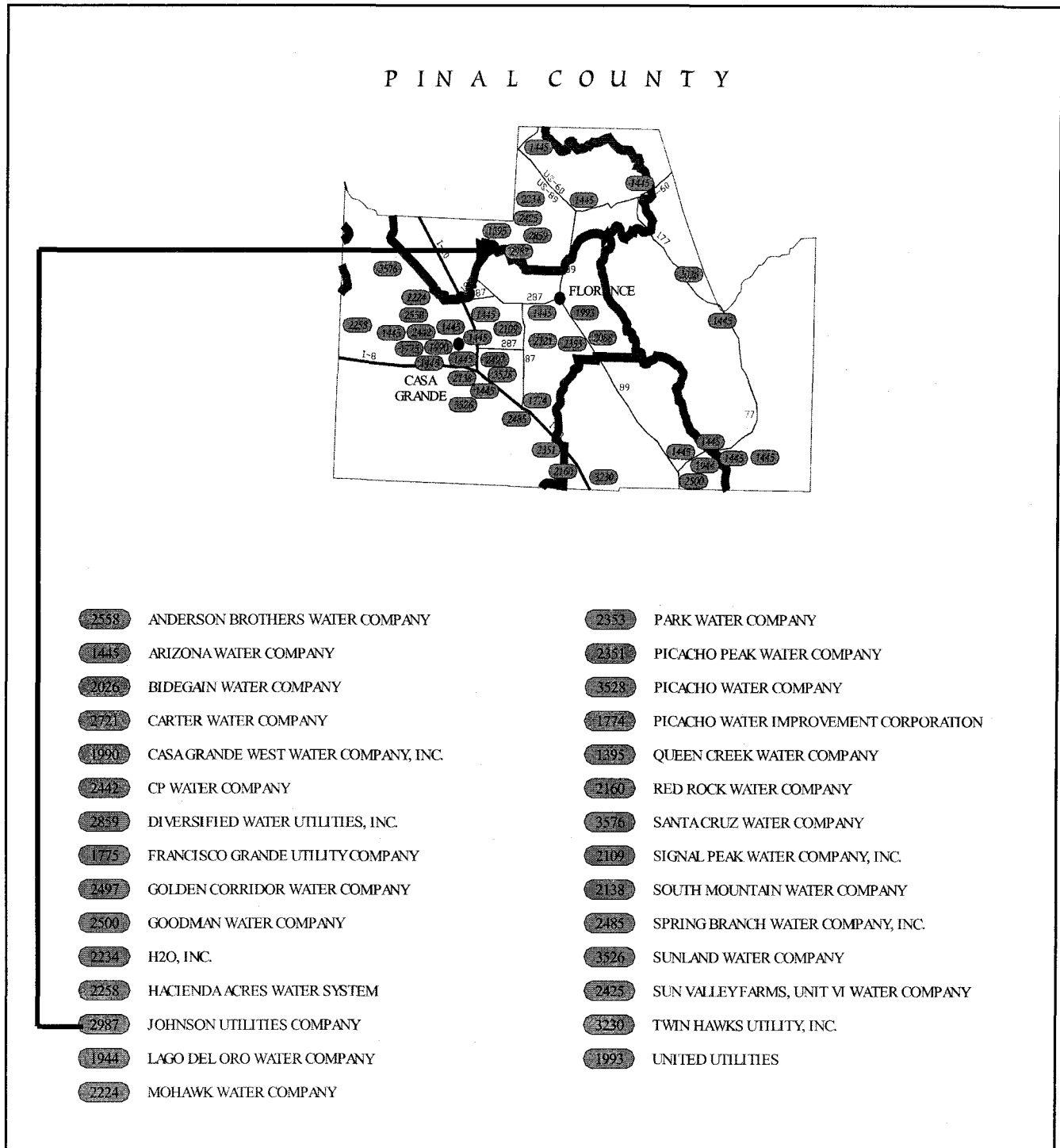


Figure 1. County Map

**Johnson Utilities Company**  
**Request for CC&N Extension Areas**  
**WS-02987A-00-0618**

PARCEL	NAME	DEVELOPER	ACRES	SECTIONS	TOWNSHIP & RANGE	TOTAL NO. RESIDENCE	APPROXIMATE START DATE
20	Pecan Ranch (Sewer Only)	Mike Johnston/Harold Christ	240	20	T2S, R8E	0	2000
6	Morning Sun Farms	Cravath Whole Life Comm	640	1	T3S, R7E	1,195	2001
12	Jorde/Morning Sun Farms	Keith Jorde/Cravath	360	2, 12	T3S, R7E	0	2001
14	Combs School (Sewer Only)	School District/Pinal County	10	NW 1/4 of 32	T2S, R8E	0	2001
13	BLM Property	Johnson International	480	E1/2 of 13, SE 1/4 of 12	T4S, R8E	1,920	2001
19	Various (Sewer Only)	Various	320	34	T2S, R8E	720	2001
21	Dobson Farms	Dobson	1,920	36, 30 & 31	T3S, R8E & T3S, R9E	6626	2001
23	Magma Ranch	Smith - New Magma, L.L.C.	315	20	T3S, R9E	75	2001
9	Farley Farms	Farley	1,520	14, 22, 23, 27 & 34	T4S, R8E	4,200	2002
10	State of Arizona	State Land	1,400	10, 26, 15, 14, 23, 35	T4S, R8E	7,360	2002
11	Circle Cross Ranch (West of R.R.)	El Dorado Holdings	795	6 & 31	T2S, R8E & T3S, R8E	2,521	2002
14	Johnson Farms, Section 32 (Sewer On)	Community Southwest	630	32	T2S, R8E	75	2003
10	Future Development Sections 23 & 26	Unknown	800	23 & 26	T4S, R8E	3,000	2003
5	Skyline	Anderson Investments	620	7 & 12	T3S, R8E	785	2004
3	Jorde Farms	Keith Jorde	118	2 & 3	T3S, R7E	1,600	2005
4	Whitehead	Whitehead	160	31	T3S, R8E	640	2005
1	Arizona Farms	Vistoso Partners	2,240	1, 4, 5, & 7	T4S, R8E & T4S, R9E	10,200	2006
2	Bella Vista Farms	Vistoso Partners	2,560	13, 14, 15, 19 & 23	T3S, R8E	10,591	2006
7	Shelton	Shelton	160	8	T3S, R9E	320	2010
8	Various Owners within Section 28	Various	640	28	T3S, R9E	320	2010
Total						52,148	
Total Acreage Request			15,928				

Johnson Utilities Company  
Request for CC&N Extension Areas  
WS-02987A-00-0618

DEVELOPMENT NAME	DEVELOPER	PARCEL	APPROXIMATE START DATE
<b>APPROVAL - PHASE I*</b>			
Pecan Ranch (Sewer Only)	Mike Johnston/Harold Christ	20	2000
Morning Sun Farms	Cravath Whole Life Comm	6	2001
Jorde/Morning Sun Farms	Keith Jorde/Cravath	12	2001
BLM Property	Johnson International	13	2001
Magma Ranch	Smith - New Magma, L.L.C.	23	2001
Combs School (Sewer Only)	School District/Pinal County	14	2001
Dobson Farms	Dobson	21	2001
Various (Sewer Only)	Various	19	2001
<b>CONDITIONAL APPROVAL - PHASE II**</b>			
Farley Farms	Farley	9	2002
State of Arizona	State Land	10	2002
Circle Cross Ranch (West of R.R.)	El Dorado Holdings	11	2002
Johnson Farms, Section 32 (Sewer Only)	Community Southwest	14	2003
<b>CONDITIONAL APPROVAL - PHASE III***</b>			
Skyline	Anderson Investments	5	2004
Jorde Farms	Keith Jorde	3	2005
Whitehead	Whitehead	4	2005

\* PHASE I - Conditional Approval based on FULL Compliance with ADEQ Rules and ACC Compliance

\*\* PHASE II - Conditional Approval based on continuous FULL Compliance with ADEQ Rules and ACC Compliance for Calendar Year 2001

\*\*\* PHASE III - Conditional Approval based on continuous FULL Compliance with ADEQ Rules and ACC Compliance for Calendar Years 2001-2003

Johnson Utilities Company  
Request for CC&N Extension Areas  
WS-02987A-00-0618

DEVELOPMENT NAME	DEVELOPER	PARCEL	APPROXIMATE START DATE
<b>DENIED</b>			
Arizona Farms	Vistoso Partners	1	2006
Bella Vista Farms	Vistoso Partners	2	2006
Future Development Sections 23 & 26	Unknown	10	2003
Shelton	Shelton	7	2010
Various Owners within Section 28	Various	8	2010



Johnson Utilities Company  
Johnson Ranch Water System, PWS #11-128  
ADEQ Consent Order, Docket No. DW-62-00

- 1 Failed to provide water which does not exceed the maximum contaminant limit (MCL) for Nitrate (10 mg/l) in accordance with A.A.C. R18-4-208.
- 2 Failed to take a nitrate confirmation sample at the same sampling point within 24 hours of receiving the analytical results of the initial sample, in accordance with A.A.C. R18-4-208.I.
- 3 Failed to notify ADEQ within 48 hours of discovery of failure to comply with nitrate monitoring requirements in accordance with A.A.C. R18-4-104.L.
- 4 Failed to provide Public Notice, in accordance with A.A.C. R-18-4-105.C, when a confirmation sample is not taken within 24 hours after receiving the analytical results of the initial nitrate sample, in accordance with A.A.C. R-18-4-208.I.
- 5 Failed to take a nitrate confirmation sample at the same sampling point within two (2) weeks of receiving the analytical results of the initial sample, in accordance with A.A.C. R18-4-208.I.
- 6 Failed to notify ADEQ within 48 hours of discovery of failure to comply with nitrate monitoring requirements in accordance with A.A.C. R18-4-104.L.
- 7 Failed to provide Public Notice, in accordance with A.A.C. R-18-4-105.C, when a confirmation sample is not taken within two (2) weeks after receiving the analytical results of the initial nitrate sample, in accordance with A.A.C. R-18-4-208.I.
- 8 Failed to notify the ADEQ of a Nitrate MCL exceedance within 24 hours of receipt of the analytical results, in accordance with A.A.C. R18-4-104.A.2.
- 9 Failed to provide Public Notice as soon as possible but not later than 72 hours after an acute violation occurs, in accordance with A.A.C. R18-4-105.B.
- 10 Failed to perform total coliform analyses in accordance with A.A.C. R18-4-202.F.
- 11 Failed to notify ADEQ within ten (10) days of discovery of failure to comply with total coliform monitoring requirements in accordance with A.A.C. R18-4-104.L.
- 12 Failed to provide Public Notice for missed total coliform monitoring in accordance with A.A.C. R-18-4-105.C.
- 13 Failed to perform total coliform repeat analyses following the discovery of a total coliform positive within 24 hours in accordance with A.A.C. R18-4-202.H.
- 14 Failed to notify ADEQ within ten (10) of discovery of failure to comply with total coliform monitoring requirements in accordance with A.A.C. R18-4-104.L.
- 15 Failed to provide Public Notice for missed total coliform monitoring in accordance with A.A.C. R-18-4-105.C.
- 16 Failed to collect at least five (5) routine coliform samples during the next month following a total coliform positive in accordance with R18-4-202.I.
- 17 Failed to notify ADEQ within (10) days of discovery of failure to comply with total coliform monitoring requirements in accordance with A.A.C. R18-4-104.L.
- 18 Failed to perform total coliform repeat analyses following the discovery of a total coliform positive within 24 hours in accordance with A.A.C. R18-4-202.H.
- 19 Failed to provide water which does not exceed the maximum contaminant limit (MCL) for Total coliform (no more than one sample may be total coliform-positive in accordance with A.A.C. R18-4-202.A.2.

- 20 Failed to notify the ADEQ of a total coliform MCL exceedance within 24 hours of receipt of the analytical results, in accordance with A.A.C. R18-4-104.B.1.
- 21 Failed to provide Public Notice not later than 14 days after a total coliform MCL violation occurs, in accordance with A.A.C. R18-4-105.A.1.
- 22 Failed to maintain records of backflow prevention assembly installations and tests performed on backflow prevention assemblies in its service area in accordance with A.A.C. R18-4-115.G.
- 23 Failed to develop an emergency operations plan in accordance with A.A.C. R18-4-116.
- 24 Failed to obtain an Approval of Construction (AOC) prior to operation of a newly constructed facility in accordance with A.A.C. R18-4-507.A.
- 25 Failed to obtain an Approval of Construction prior to operation of a newly constructed facility in accordance with A.A.C. R18-4-507.A.

Johnson Utilities Company  
Sun Valley Farms V Water System, PWS #11-116  
ADEQ Consent Order, Docket No. DW-87-00

- 1 Failed to receive an Approval to Construct (ATC) from the Department prior to modifying an existing facility in accordance with A.A.C. R18-4-505.
- 2 Failed to receive an Approval of Construct (AOC) issued by the Department prior to operating a newly constructed facility in accordance with A.A.C. R18-4-507.
- 3 Failed to comply with the Nitrate MCL in accordance with A.A.C. R18-4-208.
- 4 Failed to notify the public as soon as possible but not later than 72 hours after an acute violation occurs that water served exceeded the acute MCL for Nitrate in accordance with A.A.C. R-18-4-105.B.
- 5 Failed to install and use best available technology (BAT) for achieving compliance with the maximum contaminant level(s) in accordance with A.A.C. R18-4-220.
- 6 Failed to comply with the MCL for total coliform analyses in accordance with A.A.C. R18-4-202.
- 7 Failed to notify ADEQ within 24 hours of receipt of analytical results that water served to the public exceeded the MCL for total coliform in accordance with A.A.C. R18-4-104.B.1.
- 8 Failed to notify the public that water served exceeded the MCL for total coliform bacteria in accordance with A.A.C. R-18-4-105.A.
- 9 Failed to collect a set of repeat samples within 24 hours of receiving notice of the total coliform-positive test result in accordance with A.A.C. R18-4-202.H.
- 10 Failed to notify ADEQ of a missed total coliform repeat monitoring event with 10 days of discovery in accordance with A.A.C. R18-4-104.L.
- 11 Failed to notify the public of a missed total coliform monitoring event in accordance with A.A.C. R-18-4-105.C.
- 12 Failed to comply with the MCL for fecal coliform bacteria in water served to the public, in accordance with R18-4-202.A.
- 13 Failed to notify ADEQ as soon as possible within 24 hours after receiving notice of the fecal coliform-positive test result, in accordance with A.A.C. R18-4-104.A.
- 14 Failed to notify the public that water served exceeded the fecal coliform bacteria MCL in accordance with A.A.C. R18-4-105.B.

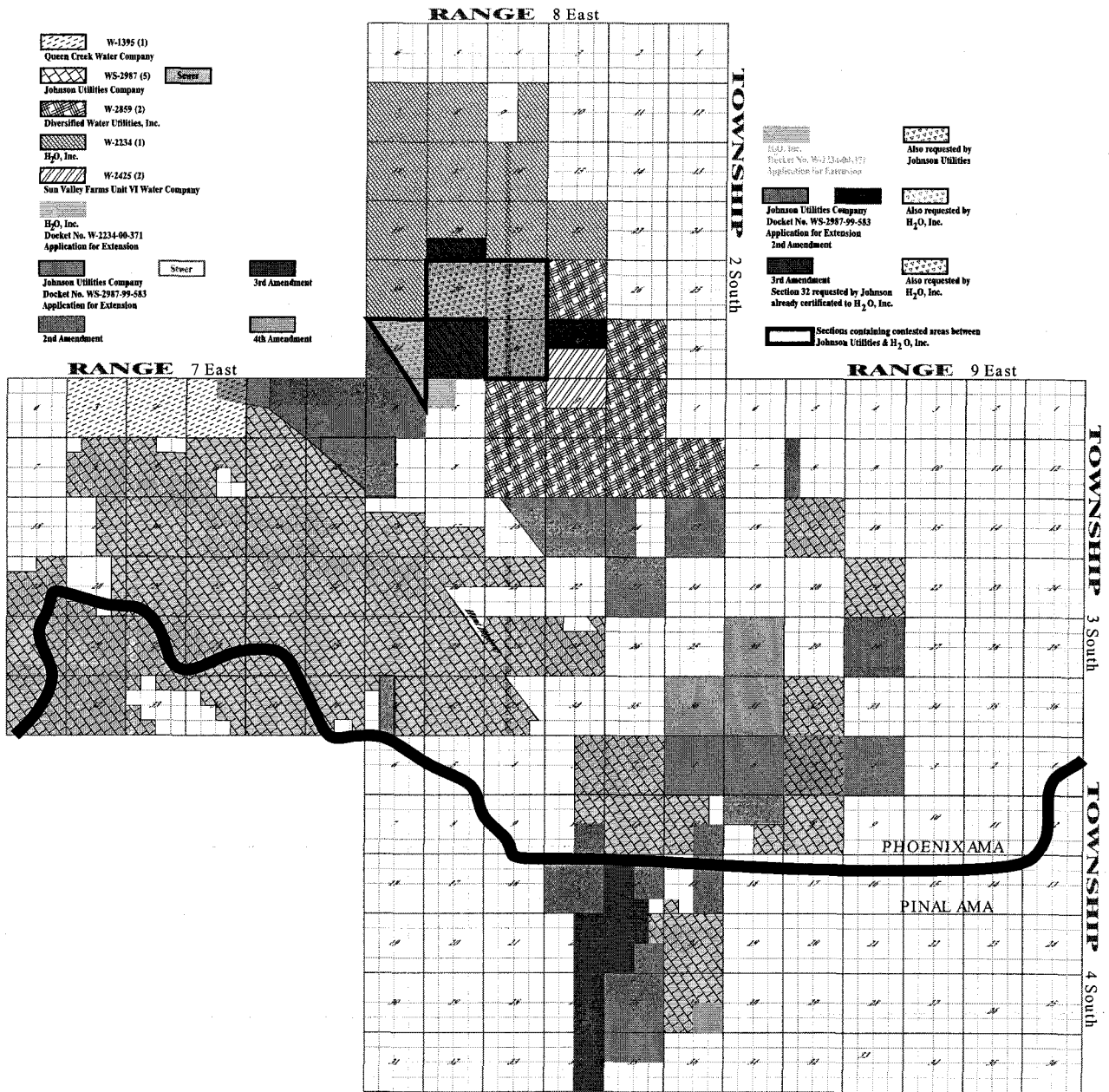


Figure 2. Certificated and requested Areas

Johnson Utilities Company  
Johnson Ranch Wastewater System, Inventory #103081  
ADEQ Consent Order, Docket No. P-105-99

- 1 Failed to construct the main Wastewater Collection, Treatment and Disposal systems in accordance with plans approved by ADEQ in violation of A.A.C. R18-9-804.G.